

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In ~~an~~ application of

GARY LOCK ET AL

U.S. Serial No. 10/031,364

Group Art Unit 1743

Filed: February 19, 2002

TRAVELING WAVE DIELECTROPHORETIC APPARATUS AND METHOD

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

Transmitted herewith is an **preliminary amendment** / ~~a response~~ in the above-identified application.

       No additional fee is required.  
  X   An additional fee is required as calculated below -

	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	<u>Small Entity</u> Add'l Rate	<u>Small Entity</u> Add'l Fee	Other Than A <u>Small Entity</u> Add'l Rate	Other Than A <u>Small Entity</u> Add'l Fee
Total	47	Minus * 39	8	x \$ 9	\$	x \$18	\$144.00
Indep	04	Minus * 05	0	x \$42	\$	x \$84	\$
First Presentation of Mul Dep Claim.....				x \$140	\$	x\$280	\$
Total Additional Fee.....					\$	.....	\$144.00

- \* The "Highest Number Previously Paid For" (Total or Independent) is the highest number of claims filed originally or highest number found from equivalent box of a prior amendment.

       This response is being filed within the period for response.

       Applicant(s) hereby petition for an extension from the date of the Examiner's Action as follows:

       First-Month Extension..... \$ 55.00 / \$ 110.00  
       Second-Month Extension..... \$ 200.00 / \$ 400.00  
       Third-Month Extension..... \$ 460.00 / \$ 920.00

       Small entity status of this application has been established.

A Check in the amount of \$ 144.00 is attached hereto. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-3690 of the undersigned attorney. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

By Mary T. Breiner  
Attorney of Record, Reg. No. 33,161

Date: May 15, 2002  
(703) 684-6885

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"PATENT APPLICATION"

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

GARY LOCK ET AL

U.S. Serial No. 10/031,364

Group Art Unit 1743

Filed: February 19, 2002

TRAVELING WAVE DIELECTROPHORETIC  
APPARATUS AND METHOD

Alexandria, Virginia  
May 15, 2002

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Dear Sir:

Prior to action by the Examiner in the captioned  
application, please amend the application as follows:

IN THE ABSTRACT:

Add an Abstract as shown in the attached clean version.

IN THE CLAIMS:

Cancel claim 26 without prejudice.

Amend the claims as follows:

1. (Amended) A method for determining properties of a particle, including response of the particle to exposure to a chemical or physical agent, and for separating particles of more than one type, comprising steps of applying to a suspension of particles a first signal at a

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